



41
practitioner's Docket No. 48460 (70157)

1624
1624
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: A Rosowsky

SERIAL NO: 09/890,112 EXAMINER: T. McKenzie

FILED: July 26, 2001 GROUP: 1624

FOR: PHARMACEUTICALLY ACTIVE COMPOUNDS AND METHODS OF USE THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Request for Reconsideration for this application.

STATUS

2. Applicant is

a small entity. A statement:
 is attached.
 was already filed.
 other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that on the date shown below, this correspondence is being:

deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile to the Patent and Trademark Office

FACSIMILE

Michelle P. Chicos

Signature
Michelle P. Chicos

Date: February 5, 2004

(type or print name of person certifying)

02/12/2004 CNGUYEN 00000057 09890112

01 FC:2252

210.00 OP

(Amendment Transmittal--page 1 of 4)

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

(a) Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[]	one month	\$ 110.00	\$ 55.00
[X]	two months	\$ 420.00	\$ 210.00
[]	three months	\$ 95.00	\$ 475.00
[]	four months	\$ 1,480.00	\$ 740.00

Fee: \$210.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 210.00

OR

(b) [] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OR	OTHER THAN A SMALL ENTITY	
		Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra		Rate	Addit. Fee
					\$9.00	\$	\$18.00
	Independent Claims				\$42.00	\$	\$84.00
	First Presentation of Multiple Dependent Claim+				\$140.00	\$	\$280.00
							Total Addit. Fee

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) No additional fee for claims is required.

OR

(d) Total additional fee for claims required \$ _____.

FEE PAYMENT

5. Attached is a check in the sum of \$210.00.
 Charge Account No. _____ the sum of \$ _____.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

If any additional fee for claims is required, charge Account No. 04-1105.

Date: February 5, 2004



SIGNATURE OF PRACTITIONER

Reg. No. 48,399

John B. Alexander, Ph.D.

(type or print name of practitioner)

Tel. No. (617) 439-4444

Edwards & Angell, LLP

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THEREOF

**Mail Stop: Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 5, 2004.

By: Michelle P. Chicos
Michelle P. Chicos

.....
Sir:

AMENDMENT

Applicants are in receipt of the Office Action dated September 5, 2003 and request reconsideration of the above-identified application in view of the following amendments and remarks. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.